IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

Bail Appl..No. 1177 of 2007

CMP.522/2007 of J.M.F.C.-II, CHENGANNUR
CRIME NO.16/2007 OF CHENGANNUR EXCISE RANGE

.....

PETITIONER/ACCUSED:

RAJEEV, S/O.PURUSHOTHAMAN,
CHIRAYIL KIZHAKKETHIL VEEDU,
THURUTHIMEL MURI, CHERIYANADU VILLAGE,
CHENGANNUR TALUK.

BY ADV. SRI.ISSAC NINAN

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
THE EXCISE INSPECTOR, CHENGANNUR RANGE,
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT
OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1177/2007 (B)

Dated this 28th day of February, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the sole accused in C.R. No. 16/2007 of Chengannur Excise Range, for an offence punishable under Section 8 (1) and 8(2) of the Abkari Act for allegedly having been found in possession of one litre of illicit arrack on 17.1.2007, seeks his enlargement on bail. Petitioner was arrested on 9.2.2007.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of offence and the other circumstances of the case, I am inclined to grant bail to the petitioner, but only from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 9.3.2007, on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-II, Chengannur, and subject to the following conditions:

(a). Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

(b). The petitioner shall make himself available for interrogation as and when required by the police.

(c). The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

(d). The petitioner shall not commit any offence while on bail.

4. If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

The application is allowed as above.

V.RAMKUMAR,
JUDGE

mrcs